

Claim 1 recites a method for mounting a grill to one of a first motor assembly and a second larger motor assembly with a mounting system, the first motor including an endshield including a plurality of attachment points, wherein the method includes "attaching the first motor endshield to the first motor assembly using the plurality of attachment points, wherein the attachment points extend substantially perpendicularly away from the endshield."

Chiang does not describe nor suggest a method for mounting a grill to one of a first motor assembly and a second larger motor assembly with a mounting system, wherein the first motor includes an endshield including a plurality of attachment points, and the method includes attaching the first motor endshield to the first motor assembly using the plurality of attachment points, such that wherein the attachment points extend substantially perpendicularly away from the endshield. Rather, Chiang describes a plurality of locking lugs that extend radially from the base of a fan motor. For at least the reasons set forth above, Claim 1 is submitted to be patentable over Chiang.

Claim 2 depends from independent Claim 1. When the recitations of Claim 2 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 2 likewise is patentable over Chiang.

Claim 5 recites an endshield for a first motor assembly configured to attach to a grill, wherein the endshield comprises "a plurality of attachment points extending substantially perpendicularly away from said endshield for attaching said endshield to the first motor assembly..."

Chiang does not describe nor suggest an endshield for a first motor assembly configured to attach to a grill, wherein the endshield includes a plurality of attachment points that extend substantially perpendicularly away from said endshield for attaching the endshield to the first motor assembly. Rather, Chiang describes a plurality of locking lugs that extend radially from the base of a fan motor. For at least the reasons set forth above, Claim 5 is submitted to be patentable over Chiang.

Claims 6-8 depend, directly or indirectly, from independent Claim 5. When the recitations of Claims 6-8 are considered in combination with the recitations of Claim 5, Applicants submit that dependent Claims 6-8 likewise are patentable over Chiang.

Claim 11 recites a motor assembly comprising "a grill...a first motor assembly comprising an endshield comprising...a plurality of attachment points...said attachment points configured to extend substantially perpendicularly away from said endshield and to attach said endshield to said first motor assembly."

Chiang does not describe nor suggest a motor assembly including a grill and a first motor assembly including an endshield having a plurality of attachment points, wherein the attachment points extend substantially perpendicularly away from the endshield for attaching the endshield to the first motor assembly. Rather, Chiang describes a plurality of locking lugs that extend radially from the base of a fan motor. For at least the reasons set forth above, Claim 11 is submitted to be patentable over Chiang.

Claims 12-16 depend, directly or indirectly, from independent Claim 11. When the recitations of Claims 12-16 are considered in combination with the recitations of Claim 11, Applicants submit that dependent Claims 12-16 likewise are patentable over Chiang.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1, 2, 5-8, and 11-16 be withdrawn.

The rejection of Claims 3, 4, 9, 10, 17, and 18 under 35 U.S.C. § 103(a) as being unpatentable over Chiang is respectfully traversed.

Chiang is described above. Applicants respectfully submit that the Section 103 rejection of Claims 3, 4, 9, 10, 17, and 18 is not a proper rejection. The mere assertion that such a method or endshield would have been obvious to one of ordinary skill in the art does not support a prima facie obvious rejection. Rather, each allegation of what would have been an obvious matter of design choice must always be supported by citation to some reference work recognized as standard in the pertinent art, and the Applicants given an opportunity to challenge the correctness of the assertion or the repute of the cited reference. Applicants have not been provided with the citation to any reference supporting the combination made in the rejection. The rejection, therefore, fails to provide the Applicants with a fair opportunity to respond to the rejection, and fails to provide the Applicants with the opportunity to challenge the correctness of the rejection.

Furthermore, in contrast to the assertion within the Office Action, Applicant respectfully submits that it would not be obvious to one skilled in the art to modify Chiang

because there is no motivation to modify the references suggested in the art. Rather, the Examiner has not pointed to any prior art that teaches or suggests to combine the disclosures, other than Applicant's own teaching. Only the statement that "[i]t would have been an obvious matter of design choice to design the end shield and to provide well known in the art self tapping fastener or self-clinching nut...for the purpose of reducing the cost of the shield installing the end shield to sheet material..." suggests modifying the disclosure.

Further, and to the extent understood, Chiang does not describe nor suggest the claimed combination, and as such, the presently pending claims are patentably distinguishable from the cited combination. Specifically, Claims 3 and 4 depend, directly or indirectly, from independent Claim 1 which recites a method for mounting a grill to one of a first motor assembly and a second larger motor assembly with a mounting system, the first motor including an endshield including a plurality of attachment points, wherein the method includes "attaching the first motor endshield to the first motor assembly using the plurality of attachment points, wherein the attachment points extend substantially perpendicularly away from the endshield."

Chiang does not describe nor suggest a method for mounting a grill to one of a first motor assembly and a second larger motor assembly with a mounting system, wherein the first motor includes an endshield including a plurality of attachment points and the method includes attaching the first motor endshield to the first motor assembly using the plurality of attachment points, such that the attachment points extend substantially perpendicularly away from the endshield. Rather, Chiang describes a plurality of locking lugs that extend radially away from the base of a fan motor. For at least the reasons set forth above, Claim 1 is submitted to be patentable over Chiang.

Claims 3 and 4 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 3 and 4 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 3 and 4 likewise are patentable over Chiang.

Claim 5 recites an endshield for a first motor assembly configured to attach to a grill, wherein the endshield comprises "a plurality of attachment points extending substantially perpendicularly away from said endshield for attaching said endshield to the first motor assembly..."

Chiang does not describe nor suggest an endshield for a first motor assembly configured to attach to a grill, wherein the endshield includes a plurality of attachment points that extend substantially perpendicularly away from said endshield for attaching the endshield to the first motor assembly. Rather, Chiang describes a plurality of locking lugs that extend radially from the base of a fan motor. For at least the reasons set forth above, Claim 5 is submitted to be patentable over Chiang.

Claims 9 and 10 depend, directly or indirectly, from independent Claim 5. When the recitations of Claims 9 and 10 are considered in combination with the recitations of Claim 5, Applicants submit that dependent Claims 9 and 10 likewise are patentable over Chiang.

Claim 11 recites a motor assembly comprising "a grill...a first motor assembly comprising an endshield comprising...a plurality of attachment points...said attachment points configured to extend substantially perpendicularly away from said endshield and to attach said endshield to said first motor assembly."

Chiang does not describe nor suggest a motor assembly including a grill and a first motor assembly including an endshield having a plurality of attachment points, wherein the attachment points extend substantially perpendicularly away from the endshield for attaching the endshield to the first motor assembly. Rather, Chiang describes a plurality of locking lugs that extend radially from the base of a fan motor. For at least the reasons set forth above, Claim 11 is submitted to be patentable over Chiang.

Claims 17 and 18 depend, directly or indirectly, from independent Claim 11. When the recitations of Claims 17 and 18 are considered in combination with the recitations of Claim 11, Applicants submit that dependent Claims 17 and 18 likewise are patentable over Chiang.

For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 3, 4, 9, 10, 17, and 18 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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Applicant: Ashe, Jr., et al.

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For: METHODS AND APPARATUS
FOR ATTACHING A GRILL TO
A MOTOR

Art Unit: 2834

Examiner: Joseph Waks

SUBMISSION OF MARKED UP CLAIMS

Hon. Commissioner for Patents
Washington, D.C. 20231

Submitted herewith are marked up claims in accordance with 37 C.F.R.

1.121(c)(1)(ii).

IN THE CLAIMS

1. (once amended) A method for mounting a grill to one of a first motor assembly and a second larger motor assembly with a mounting system, the mounting system including a plurality of fasteners, the first motor including an endshield including a plurality of attachment points and a plurality of openings, the attachment points for attaching the endshield to the first motor assembly, the openings for attaching the first motor assembly to the grill, said method comprising the steps of:

attaching the first motor endshield to the first motor assembly using the plurality of attachment points, wherein the attachment points extend substantially perpendicularly away from the endshield; and

attaching the grill to one of the first motor assembly and the second motor assembly using the plurality of openings.

5. (once amended) An endshield for a first motor assembly configured to attach to a grill, the grill configured to attach to one of a first motor assembly and a second larger motor assembly, said endshield comprising:

a plurality of attachment points extending substantially perpendicularly away from said endshield for attaching said endshield to the first motor assembly; and

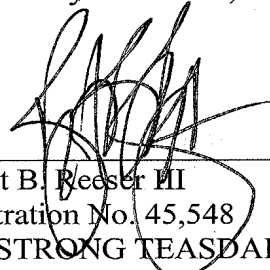
a plurality of openings for attaching said endshield to the grill.

11. (once amended) A motor assembly comprising:

a grill configured to attach to one of a first motor assembly and a second larger motor assembly; and

a first motor comprising an endshield comprising a plurality of attachment points and a plurality of openings, said attachment points configured to extend substantially perpendicularly away from said endshield and to attach said endshield to said first motor assembly, said openings configured to attach said first motor endshield to said grill.

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